App. F. IX-4

1935-36
(LB)

File No. LB 36-35
Serial Nos. 1-2

Previous References

LB 160-32 96 1-2
LB 112-33 85 1
LB 112-33 85 1-2
LB 37-34 85 1-2

Letter References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2

Part B for April 1936

SUBJECT

Warrant of Arrest issued against Babu B. Deva Gowda Pdt, Dy. Bd, Kadur

To
The D. C. Kadur Dt.
No L 7490 LB 36-35 Sl 1-2 Dt 1-4-36
Informs him that the Pdt of the Dy. Bd could be arrested without notice to Govt

WD 03607—GPB—22,500—2-8-35

23/4/36 Reserve
9.5.36

LB 36-35-1

Confidential

M. ABDUL HUKH,
DEPUTY COMMISSIONER.

No. 93/Euc. one

Office of the Deputy Commissioner,
KADUR DISTRICT.

Chikmagalur, 25th March 1936

4361/L

Dear Sir,

I am sending herewith a copy of the yadi received from the Subordinate Judge, Shimoga, intimating to me that a warrant of arrest has been issued against Mr. B. Deva Gowda, President, District Board and asking me to make necessary arrangements in connection with his intended arraest, I request for orders to ask him to hand over charge to the Vice President and to intimate the same to the Court to facilitate his arrest.

I understand that Mr. Bagmane Deva Gowda is heavily in debts and that he is unable to discharge them; but I have not been able to find out the exact amount of his indebtedness and also his assets.

Yours sincerely,

M. Venkatanaranappa Esq., M.A.,

Secretary to Government, Development Department,

Bangalore.

1 Submitted with the reports asked for above — Please see the notes in LB 37-34-1 & 2 re the case of (Mr. Venkatappa, President DB, Bhadravathi)

2 Please put up also LB file 160-32 from 26/3

Serial

Please refer to a similar warrant issued earlier by Rayavaram Dy. Tahsildar. The Tahsildar makes certain averments in the warrant

"Copy"

Deputy Commissioner,
Kadiri

To

26/7/86.
3. K/S
pra 27/8/86

File 1600/E/85 of Tahsildar

4 Reference is invited to the legal opinion recorded in the above file by the above named.

5 The reply to be given to the Dy. Tahsildar

Please furnish a draft in the light of the legal note

27/3

27/3

NOTE.—Contn. Sheet.

WD 03594—GPB—30,000—18-7-85

Warrant of arrest against Sh. B.4316/ Dalve fonda Pleasant Kadur Dist Bd

2

File No. of 193 General and Revenue Secretariat

Subd with a draft D_o for appl consideration

Dewdsery) 4/4 98/3 6/4/36 28/3

Jra 28/8/36

8 For orders & submit the arrest cannot take place during Vacation.

Seen Meeting 19.3.36 30/3

OFFICE OF THE SECOND MEMBER OF COUNCIL. 31 MAR 1936 No. 7537

9 After issue, may be sibd to the Reader for perusal

Mee 31/3/36

1.4.36.

10 Issue & resubmit (Under Dear Secy's signature) 1/4

To the D_C. Kadur Dist

no L7490 D_ 1.4.36

Informs him that the President of a Dist Board could be arrested without notice to any at that the question of a substitute will arise only if when he is arrested and imprisoned etc

TYPING SECTION 1 APR. 1936 GENL & REV. SECTT.

11 Resubmitted as directed above

Jra 1/4/36

for Hd Perusal

Dewan) 1/4

DEWAN'S OFFICE 2 APR. 1936 No. 6007

1/4 6.4. 7/4

7/4/36

Appendix F G—1]

SUBJECT .....

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Section L B

File No. 36-35

Serial No. 2

Diary No. of letter replied to .....

No. L 7490.

~~To~~

Dear Sir,

With reference to your letter no 93 dated the 25th March 1936 intimating the receipt of a letter from the Subjudge Shimoga about the issue of a warrant of arrest against Mr. B. Dyavegowda President of the Kadur District Board, I am desired to inform you that the definition of a public officer in the Civil Procedure Code which applies to this case does not include officers of Local Boards

General and Revenue Secretariat

( )

the *193*

Date of issue .....

Signed by .....

List of enclosures .....

Copied by .....

Examined by.....

WD 01956—GPB—22,500—12-6-34

and that the President of the D.H.S.

Could be arrested without notice
as required under para 73 (page 72) of the general rules
to get it to the notice by anyone orders (civil).
been given you may inform
me by telegram to relieve himself
of his duties by taking leave or
resigning. If he does not choose
to do so, the warrant can still
be executed. The question of
a substitute will arise only
if he is ~~imprisoned. And if he~~ actually arrested
fails to adopt your suggestion and imprisoned. and becomes incapable of acting
to take leave or resign, he as President, in which
can be removed under sec 23 event action will have
of the D.H. Regn for neglect- to be taken under
or incapacity to perform his duty. section 21 of the
~~and the vice President may then act~~ Regn.
under sec 21 of the Regulation.
In the circs, I am to request you
to watch the position & report
to us the actual arrest of Mr Byregowda
if & when it takes place

Yours sincerely

A. Secretary to the Govt. of India
D.C. Rao

MM 28/3

No. L7490
LB 36-35

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

CONFIDENTIAL.
D. O. No. 0.

Bangalore, Dated, 1st April 1936.

Dear Sir,

With reference to your letter No.93 dated the 25th March 1936 intimating the receipt of a letter from the Sub Judge, Shimoga, about the issue of a warrant of arrest against Mr.B.Dyave Gowda, President of the Kadur District Board, I am desired to inform you that the definition of a public officer in the Civil Procedure Code which applies to this case does not include officers of Local Boards and that the President of the District Board could be arrested without notice to Government as required under para 13 (page 72) of the General rules and orders (Civil)

The question of a substitute will arise only if he is actually arrested and imprisoned and becomes incapable of acting as President, in which event action will have to be taken under Section 21 of the Regulation.

Yours sincerely

M. Abdul Hukh, Esq., B.A.,

Deputy Commissioner

Kadur District